



# **Town of Groton, Connecticut**

## **Meeting Agenda**

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager (860)441-6630

### **Representative Town Meeting**

*Representatives Jeff Armstrong, Joe Baril, Tom Barnhart, Lori Bartinik, Alicia Bauer, Genevieve Cerf, Wayne Chiapperini, Michael Collins, Joe delaCruz, Luanne DeMatto, Susan Dowling, Shirley Dunbar-Rose, George Edwards Jr, Robert Garcia, Patrice Granatosky, Dolores Harrell, Barbara Hoelck, David Miner, Nancy Mitchell, Deborah Monteiro, Matt Morton, Scott Newsome, John Nugent, Nora Patterson, Darcy Peruzzotti, Kevin Power, Don Pratt, Rita Schmidt, Jack Sebastian, Jennifer Smuts, Eleanor Steere, Fritz Stein, Joan Steinfeld, Irma Streeter, Mark Svencer, George Swift, Patti Thunberg, Cheryl Tilney, Tom Vivirito, Robert Walker Sr, and Elizabeth Weil.*

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**Wednesday, August 10, 2005**

**7:30 PM**

**Senior Center**

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### **Regular Meeting**

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- A. ROLL CALL**
- B. MOMENT OF SILENCE AND SALUTE TO THE FLAG**
- C. APPROVAL OF MINUTES OF JULY 13, 2005**
- D. CITIZENS' PETITIONS**
- E. RECEPTION OF COMMUNICATIONS**
- F. REPORT OF THE TOWN MANAGER:**
  - 1. Financial report**
  - 2. Monthly briefing**
- G. LIAISON REPORTS**
  - 1. Town Council - Rep. Cerf**
  - 2. Economic Development Commission - Rep. Schmidt**
  - 3. Town Council/Board of Education Liaison Committee - Rep. Patterson**
  - 4. Permanent School Building Committee - Rep. Miner**
  - 5. P.B.F.D. Consolidation Review Committee - Reps. Steinfeld & Svencer**
  - 6. Economic Development Strategic Planning Steering Ctee - Reps. Dowling & Mitchell**
  - 7. Shellfish Task Force - Rep. Svencer**
- H. COMMITTEE REPORTS**
  - 1. FINANCE**
    - a. Chairman's notes of the business of the Town - Chairman Schmidt**
  - 2. COMMUNITY & ECONOMIC DEVELOPMENT**
    - a. Chairman's notes of the business of the Town - Chairman Pratt**
  - 3. EDUCATION**

a. Chairman's notes of the business of the Town - Chairman Newsome

4. HEALTH & SOCIAL SERVICES

a. Chairman's notes of the business of the Town - Chairman DeMatto

5. RECREATION

a. Chairman's notes of the business of the Town - Chairman Power

6. PUBLIC SAFETY

a. Chairman's notes of the business of the Town - Chairman Vivirito

7. PUBLIC WORKS

a. Chairman's notes of the business of the Town - Chairman Collins

2005-0205 Road Acceptance

ACCEPTANCE OF OXFORD COURT IN WAY SUBDIVISION

WHEREAS, the Planning Commission, at its June 28, 2005 meeting, voted to recommend the acceptance of Oxford Court in Way Subdivision, now therefore be it

RESOLVED, that the Representative Town Meeting hereby accepts Oxford Court in Way Subdivision.

Legislative History

|         |                             |          |                             |
|---------|-----------------------------|----------|-----------------------------|
| 6/28/05 | Planning Commission         | Referred | Representative Town Meeting |
| 7/13/05 | Representative Town Meeting | Referred | RTM Public Works Committee  |

2005-0198 Adoption of Ordinance for Fort Hill Homes Sewer Rehabilitation Project

ADOPTION OF ORDINANCE APPROPRIATING \$6,381,200 FOR FORT HILL HOMES SEWER REHABILITATION PROJECT AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200) is appropriated for rehabilitation of the Fort Hill Homes sanitary sewer system. The project shall include installation of approximately 19,700 linear feet of cured-in-place lining of existing 8-inch to 18-inch sewer pipe, cementious lining of approximately 104 existing concrete manholes, and approximately 19 new concrete manholes; and replacement with new 6-inch PVC pipe and/or installation of cured-in-place lining of approximately 32,400 linear feet of existing 4-inch lateral pipes. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design and construction costs, equipment, materials, easement acquisition, site improvements, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes or obligations in an amount not to exceed SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200) to finance the appropriation for the project. The amount of bonds or notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-259 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes or obligations and all notes and interim funding obligations

issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes or obligations that in each year while any such bonds or notes or obligations are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes or obligations as the same become due and payable.

Section 3. That the Town issue and renew temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or obligations for the project. The amount of the notes or obligations outstanding at any time shall not exceed SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200). The notes or obligations shall be issued pursuant to Section 7-264 and 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Sections 7-378a and 7-378b of the General Statutes with respect to any notes that do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any obligations.

Section 4. That the Town Council shall determine the amount of bonds, notes or obligations authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes or interim funding obligations authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes or obligations by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds or notes or obligations. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; to provide for the keeping of a record of the bonds or notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes or obligations; to sell the bonds or notes or obligations at public or private sale; to deliver the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes or obligations authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes or obligations to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes or obligations.

Section 7. That the Town Manager, on behalf of the Town, is authorized to apply for and accept state grants to finance the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State. The Town Manager, the Director of Finance and the Water Pollution Control Authority are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

Section 8. That the Water Pollution Control Authority is authorized to construct the sewer project;

to approve design and construction expenditures and any easement acquisition costs incurred for the sewer project; and to contract with engineers, contractors and others on behalf of the Town for said sewer project. All such authority is subject to the provisions of Section 1.

Section 9. That the Town Manager, the Director of Finance, the Water Pollution Control Authority and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes or obligations to finance the aforesaid appropriation.

Section 10. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes and obligations to finance said appropriation have been approved by the voters at referendum in accordance with Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Refer to RTM.

**Legislative History**

|   |                                     |   |                             |
|---|-------------------------------------|---|-----------------------------|
| 6/28/05   | Town Council Committee of the Whole | Recommended for a Resolution                    |                             |
| 7/5/05  | Town Council                        | Deleted from Referral List - Action to be taken |                             |
| 7/5/05  | Town Council                        | Adopted and Referred                            | Representative Town Meeting |
| <i>Mr. Vincent gave a history of this item up to this point. He added that as a precaution due to CGS 8-24, staff decided to have the Planning Commission act on the ordinance. Accordingly, the Planning Commission met prior to this Council meeting and approved the ordinance by a vote of 5-0. The record of the Planning Commission meeting will be included in the official file of the ordinance.</i> |                                     |   |                             |

*Councilor Sheets has supported this project from the start, but now has reflected on her decision, since one of the members of the WPCA opposed the project. The member, whose credentials she felt gave weight to his opinion, suggested that the completion of this project may eliminate the conditions that dictate the necessity for expansion of the treatment plant. The same issue exists with Navy off-base housing.*

*In response to Councilor Sheets' concern about the method of funding for this project (benefit assessment versus sewer use fees), Councilor Wright drew attention to the specific language of the ordinance regarding this issue.*

*Citing the results of dye tests conducted in this area, Councilor Bond noted that this project needs to be done. Assistant Director of Public Works Carl Almquist spoke about the tests which indicate that there is some exchange of material between the sanitary sewer system and the storm water drainage system.*

*Councilor Billing spoke in support of going forward with this project to be funded by sewer use fees levied on all Town properties.*

*Mr. Vincent drew the Councilors' attention to the fact that the Council recently passed a statement of policy that this should be funded through sewer use fees.*

*Councilor Kolnaski expressed the opinion that this should be taken care of now.*

*Councilor Wright explained the concept of benefit assessment as opposed to the cost of tie-in to the main sewer line.*

*Councilor Sheets clarified that she does support the re-lining of the Poquonnock Bridge sewer lines to protect the Poquonnock River, but she believes that the question of the expansion of the sewer plant should be revisited. Repairs to the Poquonnock Bridge and Navy Housing sewer lines could eliminate the needless treating of groundwater, making expansion of the sewer plant unnecessary. She would still favor denitrification. Councilor Sheets believes that the cost of re-lining laterals should be borne by the individual homeowners.*

*Councilor Bond stated that it was explained to her that this is considered a repair; this is the reason that the project is being paid for by the Town as a whole rather than by the individual homeowners. She feels that it is prudent to make repairs to both sewer lines and laterals in this area as well as in other areas of Town as it becomes necessary.*

*Councilor Wright objects to the method of financing this project; she believes that the financing plan should include a benefit assessment on the properties benefited by what has been described by the consultants as a replacement project. She feels that it is a serious departure from precedent for the public to bear the expense*

*of relining tie-ins across private property from the street lines to the structure. Councilor Wright will abstain on this vote.*

*Councilor Skrmetti pointed out that these homes are already tied into the sewer; property values will not be affected by the repairs. This is a system improvement that should be funded by usage fees.*

7/13/05

Representative Town Meeting

Referred

RTM Public Works Committee

## **8. RULES & PROCEDURES**

### **a. Chairman's notes of the business of the Town - Chairman Weil**

#### **I. OTHER BUSINESS**

#### **J. ADJOURNMENT**